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UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF NEW YORK

In re:

ORION HEALTHCORP, INC.
CONSTELLATION HEALTHCARE TECHNOLOGIES, INC.
NEMS ACQUISITION, LLC
NORTHEAST MEDICAL SOLUTIONS, LLC
NEMS WEST VIRGINIA, LLC
PHYSICIANS PRACTICE PLUS, LLC
PHYSICIANS PRACTICE PLUS HOLDINGS, LLC
MEDICAL BILLING SERVICES, INC.
RAND MEDICAL BILLING, INC.
RMI PHYSICIAN SERVICES CORPORATION
WESTERN SKIES PRACTICE MANAGEMENT, INC.
INTEGRATED PHYSICIAN SOLUTIONS, INC.
NYNM ACQUISITION, LLC
NORTHSTAR FHA, LLC
NORTHSTAR FIRST HEALTH, LLC
VACHETTE BUSINESS SERVICES, LTD.
MDRX MEDICAL BILLING, LLC
VEGA MEDICAL PROFESSIONALS, LLC
ALLEGIANCE CONSULTING ASSOCIATES, LLC
ALLEGIANCE BILLING & CONSULTING, LLC
PHOENIX HEALTH, LLC
NEW YORK NETWORK MANAGEMENT, LLC,

Debtors.

Chapter 11

Case No. 18-71748 (AST)
Case No. 18-71749 (AST)
Case No. 18-71750 (AST)
Case No. 18-71751 (AST)
Case No. 18-71752 (AST)
Case No. 18-71753 (AST)
Case No. 18-71754 (AST)
Case No. 18-71755 (AST)
Case No. 18-71756 (AST)
Case No. 18-71757 (AST)
Case No. 18-71758 (AST)
Case No. 18-71759 (AST)
Case No. 18-71760 (AST)
Case No. 18-71761 (AST)
Case No. 18-71762 (AST)
Case No. 18-71763 (AST)
Case No. 18-71764 (AST)
Case No. 18-71765 (AST)
Case No. 18-71766 (AST)
Case No. 18-71767 (AST)
Case No. 18-71789 (AST)
Case No. 18-74545 (AST)
(Jointly Administered)

NEW YORK NETWORK MANAGEMENT LLC,

Plaintiff,

-against-

KEVIN KELLY and AUCIELLO LAW GROUP, PC

Defendants.

KEVIN KELLY and EDEL KELLY

Plaintiffs,

-against-

NEW YORK NETWORK MANAGEMENT LLC and
ELIZABETH KELLY,

Defendants.

Adv. Pro. No. 18-08118
(AST)

**ELIZABETH KELLY’S DEMAND FOR JURY TRIAL
AND STATEMENT OF NON-CONSENT IN RESPONSE
TO NOTICE OF REMOVAL OF STATE COURT ACTIONS**

Pursuant to Rule 38(b) of the Federal Rules of Civil Procedure (“FRCP”), 28 U.S.C. § 157(e), and Rule 9027(e) of the Federal Rules of Bankruptcy Procedure (“FRBP”), Elizabeth Kelly (“Kelly”), through her undersigned counsel, respectfully submits this request for a jury trial and statement of non-consent to entry of final orders and judgment by the United States Bankruptcy Court for the Eastern District of New York (“Bankruptcy Court”).

This statement is submitted in response to the *Notice of Removal Pursuant to 28 USC § 1452 and FRBP 9027*, Case No. 18-74545 (AST) [Docket No. 31] filed by Kevin Kelly and Edel Kelly with respect to *New York Network Management LLC v. Kelly et al.*, Index No. 522203/16 and *Kelly and Kelly v. New York Network Management LLC et al.*, Index No. 522255/16, which actions are consolidated for disposition before the Supreme Court of the State of New York, Kings County (the “State Court Actions”).

Pursuant to FRCP 38(b), Kelly demands a trial by jury in relation to all claims and causes of action asserted in the State Court Actions.

Pursuant to 28 U.S.C. § 157(e) and FRBP 9027(e), Kelly does not consent to entry of final orders or judgment in the State Court Actions by the Bankruptcy Court.

Kelly respectfully reserves all rights and remedies attendant hereto, including, but not limited to, asserting jurisdictional defenses and seeking remand of the State Court Actions.

DATED: September 24, 2018

Respectfully submitted,

/s/ Paul J. Ricotta

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